

Erie County Ethics Board

April Minutes

April 6, 2017 8 a.m. 16th Floor Rath Building

MEMBERS:

Steven Schwartz, Chair
Rebecca Town, Secretary
Chris Trapp, Vice-Chair
Miles Gresham
Warren Galloway
Leslie Ortiz-Fogg, Ex-Officio

STAFF:

Vianne Uthman, Administrative Staff

OTHERS PRESENT:

Ross Kostechy & George McNerney-Clerk's of Legislature Office
(recording)

1. Meeting call to order at 8:07 a.m.
2. Review and approval of March 6 Meeting Minutes* (approved, Trapp seconded, Town):
3. Website Updates / Email Updates (Uthman/Town /Schwartz):
 - i. Request for opinions/actions:
 - i. Recordings of meetings are posted on the Legislative website and will be posted on the Board website. . Meeting dates for 2017 will be posted on the Ethics Board site. A fillable version of the 2016 financial disclosure forms is also available.
 - ii. 3/3/17 Antonella complaint against Family Court and DSS staff was referred to DSS liaison to investigate and contact client.
 - ii. FOIL Requests: Hultgren request has been responded to and notice of copy fees sent.
 - iii. Other communications: One email raising concerns over Sheriff appearing at a political rally in uniform was received. The format of the complaint did not pose as a question related to the Board's jurisdiction.
4. Old Business:
 - i. Morton vs. County of Erie, et al: No update on Federal suit regarding fine imposed for violation of financial disclosure laws.
 - ii. Invitation to Chairman Mills to attend Board meeting to provide more information on Poloncarz complaint is still open.
 - iii. Appointment to Board: Welcome to Warren Galloway
 - iv. Follow-up: Feigl and the luncheon and t-shirts; The Dept. of Public Works decided not to allow pizza party that staff won from a law firm due to potential public perception.
 - v. 2016 Financial Disclosure Form was edited for clarification
 - a. Lists from Department Heads & Boards received. Individuals have until May 15 to respond.
 - b. Publication of 2016 Form online and mailing went out on April 1, 2017
 - c. The Board will review completed forms during May & June meetings
 - vi. A member of the County Legislature requested the Board issue an opinion on a county funded agency giving gifts of tickets to legislators who review their budgets. Trapp drafted a letter that was circulated with the Board addressing the issue of gifts. It recommends that the rules and regulations be reviewed and revised. One such recommendation is that new legislation replace the arbitrary language of gifts under \$75 value with the "gifts of nominal value". The County Attorney's office should also consider including a blanket ban on such gifts in all county contracts. The Board will

also review and reconsider our own rules and regulations, including powers to conduct hearings and investigations (Trapp).

5. New Business (Schwartz):
 - i. Legislation has been filed to revise ethics laws and the Ethics Board – The proposal has three ex-officio members appointed by the Chair of Legislature, the Majority Leader and the Minority Leader. It also removes the County Executive's ex-officio which in practice has been someone from the Department of law. Having a member with a background in the law has historically been very helpful as many issues before the Board turn on matters of law. Concerns were raised over the loss of such an ex officio member in the new legislation and communicating this concern to the Legislature.
 - ii. Annual Report to the Legislature & County Executive will be available soon.
6. Motion to adjourn by Trapp seconded by Gresham 8:51.
7. Next meeting scheduled for Monday May 1, 2017 at 8 a.m.